

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MEI L. WANG, MICHAEL Y. J. WANG,
CHUN FANG WANG,

Plaintiffs,

-v-

CYR INTERNATIONAL, INC., CHEW
YOUNG ROO AMERICA, INC., CYR USA,
INC., CHEW YOUNG ROO, INC., CHEW
YOUNG ROO, CHEW YOUNG ROO, EUN
CHAN LIM,

Defendants.

07 cv 5462 (BSJ)

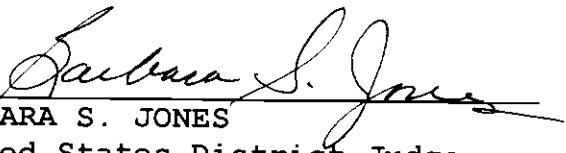
ORDER

BARBARA S. JONES
UNITED STATES DISTRICT JUDGE

Plaintiffs moved by order to show cause for a default judgment against Defendants Choo Young Roo (Fort Lee, New Jersey), Choo Young Roo (Closter, New Jersey), and Choo Young Roo, Inc. These Defendants have since opposed this motion, averring that they had never been properly served with the summons and complaint, and that their failure to respond in a timely fashion was due to excusable neglect. Because "[d]efault judgments are generally disfavored and are reserved for rare occasions," State Street Bank and Trust Co. v. Inversiones Errazuriz Limitada, 374 F.3d 158, 168 (2d Cir. 2004) (internal quotations omitted), the Court declines to enter a default judgment against the Defendants here. Plaintiffs' motion seeking entry of a default judgment is accordingly DENIED.

SO ORDERED:

Dated: New York, New York
December 14, 2007



BARBARA S. JONES
United States District Judge